

### REMARKS

Reconsideration of this application is requested in view of the amendments to the specification and claims and the remarks presented herein.

The claims in the application are claims 20 to 26, 28 to 31, 33, 35 and 36, all other claims having been cancelled. The specification has been amended to replace the commas with periods as noted by the Examiner. In addition, the specification has been amended to insert the scientific names of the plants named therein as suggested by the Examiner in paragraph 6 of the office action.

Claims 32 to 34 and 36 were rejected under 35 USC 112, first paragraph. The Examiner deemed that the claims were enabling for a dosage range of 3 to 85% of the phytohormonal extracts and a dosage range of 10 to 40% by weight of a thickening agent but it was not sufficiently supported for the claims in their original form. The Examiner deemed that the specification did not indicate the units of measurement.

Applicants respectfully traverse this ground of rejection since it is believed that the claims comply with 35 USC 112, first paragraph. Claims 32 and 34 have been incorporated into claim 20 and therefore, these claims have been cancelled. It is believed that the specification is enabling for the present dosage ranges of

3 to 85% for the phytohormonal extracts and the dosage of 0.75 to 40% by weight of the thickening agent. This is clearly set forth in the specification as filed in the paragraph bridging pages 4 and 5 and in the original claims 16 and 18. Therefore, the specification is enabling for the claimed ranges now. It is obvious that the unit of measurement was by weight and this is clearly set forth in the present claims. Therefore, withdrawal of these grounds of rejection is requested.

Claims 20 to 36 were rejected under 35 USC 112, second paragraph, for the reasons set forth in paragraphs 9 to 24 of the office action.

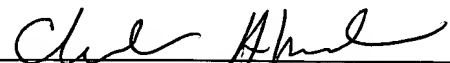
Applicants respectfully traverse these grounds of rejection since the amended claims are believed to properly define the invention. Claim 20 has been amended to provide antecedent basis for the active ingredients and the term "high viscosity" is no longer present therein. The parenthesis have been removed from claim 20 as well. The term "ladies" has also been removed from claim 20. Claim 22 has been amended to refer to "active ingredients" to provide proper antecedent basis. Claim 26 has been amended to refer to the adhesive fabrics so that it has proper antecedent basis. Claim 36 is now dependent upon claim 24 which provides antecedent basis. With respect to claim 21, this is not directed to a composition containing ladies clothing but is directed to a cosmetic composition placed inside an adhesive porous

dressings and this is clearly supported by the application. Claim 22 has been clarified to obviate the Examiner's objection thereto and claim 26 has been amended to remove the abbreviation. Therefore, the amended claims are believed to properly define the invention and withdrawal of these grounds of rejection is requested.

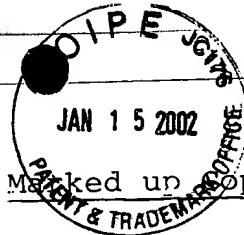
With respect to the objection to claims 23 and 27 as not further limiting the subject matter of the previous claim, Applicants traverse this rejection. Claim 27 has been cancelled. With respect to claim 23, this is directed to a specific plant extract which falls within the scope of the Markush group which recites that at least one extract is present. This defines the specific extract that is present. Therefore, withdrawal of this objection is requested.

In view of the amendments to the specification and claims and the above remarks, it is believed that the claims clearly point out Applicants' patentable contribution and favorable reconsideration of the application is requested.

Respectfully submitted,  
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3

air.

According to another mode of embodiment of the invention, the support is formed by a film of polyurethane, an adhesive expanse with an acrylic polymer base, and a veil of polypropylene placed on the outside of a siliconated protective item.

The support is meant to be attached to a piece of ladies' underwear in contact with skin, such as the brassiere. The composition according to the invention has an aesthetic effect notably by stimulating the development of the female bust. One may also reflect that the presence of flavonoides in the vegetable extracts like luteolin and quercitrin, or their glucosides, has the effect of stimulating the enzymatic activity of tissues as for example that which favours the formation of cross-links between collagen fibres, strengthening their resistance and their firmness. Thus, there is obtained a preparation showing both a positive action on the development of the bust and a positive action on the firmness of tissue.

In the preparations according to the invention, there is incorporated 1 to 10% extract of clover, from 0.5 to 15% of flavosterone (soya extract) rich in flavones, from 0.5 to 10% of extract of hop, from 0.5 to 8% of extract of common ladies' mantle, from 0.25 to 10% of extract of sage, and from 0.15 to 10% extract of licorice. The extract of Kigelia – and notably the extract in water and butylene glycol (53-47%) is present in quantities ranging from 5 to 25%.

Preparations contain also an adhesive agent like acrylic copolymer, marketed under the brand name Ultrez 10, or a copolymer PEG/PPG (17/6), marketed under the name UCON 75 H450, a thickening agent like chitin in quantities ranging from 10 to 30%, surfactant agents like Tweens or Spans, for example Tween 20, solvents like ethoxydiglycol marketed under the brand Transcutol, binding agents like hydrolysed wheat gluten, marketed under the label Vegetable Tensor LIB, as well as additives like a perfume, antiseptics, preserving agents, antioxydant agents or stabilising agents.

Preparations according to the invention appear in the form of a pasty preparation meant

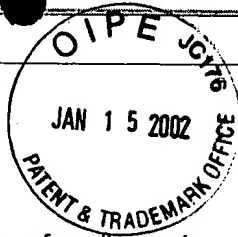
(Triticum  
pratense)

(Sila  
solaria)

(Humulus lupulus)

(Alchemilla mollis)

(Glycyrrhiza glabra)



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5

added topical compositions of a dispersing agent such as a non-ionic surfactant, for example a Tween or a Pluronic at a concentration spanning between 0.5 and 1.5%.

Topical preparations can also be added to with an extract of *Kigelia africana*, preferably the extract in water and butylene glycol (50-50%), at concentrations spanning between 5 to 20%. These compositions are moreover added to by hydrolysed wheat gluten at a concentration of 5 to 20%.

The content in water is of the order of 40 to 60% of the total volume.

Topical compositions are meant to be applied to the skin and notably the bust once to four times per day to produce the desired aesthetic effect.

The following examples illustrate the invention without however limiting it.

#### EXAMPLE I

##### Bust gel

Acrylic copolymers marketed under the brand name Ultrez 10	0,90
Extract of <i>Kigelia africana</i> in water/butylene glycol	8
Extract of clover ( <i>Trifolium pratense</i> )	3
Flavosterone SB (extract of soya)	3
Hydrolysed wheat gluten	9
Polyethylene glycol/polypropylene glycol copolymer marketed under the name UCON 75H450	0.90
Tween 20 (polysorbate 20)	1
Transcutol	1,50
Diazolidinylurea marketed under the name Germaben II	0,80
Perfume of Passion fruit	0,70
Water ad	100 g

#### EXAMPLE II

6

**Bust gel**

Extract of <i>Kigelia africana</i> in water/butylene glycol	10
Extract of clover	3
Flavosterone SB	4
Hydrolysed wheat gluten	15
Copolymer PEG/PPG 17/6	0,90
Chitin	15
Acrylic copolymer marketed under the name Ultrez 10	0,90
Transcutol	2,50
Tween 20	1
Germaben II	0,8
Perfume of Passion fruit	0,7
Water ad	100 g

Extract of *Kigelia africana* is a plant extract in a mixture of butylene glycol (47%) and water (53%) with a preserving agent added (Phenonip 2,5%). It is a brown-red coloured liquid with a slight aroma. Its density at 20°C is  $1,030 \pm 0,020$  and its refraction index is  $1,395 \pm 0,020$ . Its pH is 5,0 to 6,0. It is miscible in water and alcohol at 60%.

*Kigelia africana* extract includes steroid flavonoids and saponins. 1 Kg of extract corresponds to 1 Kg of fresh plant.

rewrite lines 20 to 23 as follows:

- Transcutol
- Diazolidinylurea marketed under the name Germaben II
- Perfume of Passion fruit

Page 6, rewrite line 6 as follows:

- Copolymer PEG/PPG 17/6

rewrite lines 8 and 9 as follows:

- Acrylic copolymer marketed under the name Ultrez 10
- Transcutol

rewrite lines 11 and 12 as follows.

- Germaben II
- Perfume of Passion fruit

Replace the Abstract with the Abstract submitted herewith on a separate sheet of paper.

IN THE CLAIMS:

Cancel claims 1 to 19 and add the following claims.

- 20. A cosmetic composition of ~~high viscosity~~ containing a thickening agent applied to a piece of adhesive fabric attached to an item of ~~ladies'~~ clothing, wherein the active ingredients are, at

2

at 15 to 40% by weight of

and 3 to 85% by weight of the composition of active ingredients

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least one extract of plants selected from the group consisting of Clover (*Trifolium pratense*), Hop (*Humulus lupulus*), Common Ladies' mantle (*Alcaemilla mollis*), Sage (*Slavia sciaria*) and Liquorice (*Glycyrrhiza glabra*) and an extract of the plant *Kigelia Africana* ~~for~~ *Kigelia pinnata*.

21. A cosmetic composition of claim 20 placed inside an adhesive porous dressing.

22. A cosmetic composition of claim 21, wherein the adhesive porous dressing is made of <sup>a)</sup> a support selected from <sup>the group consisting of</sup> a cotton tissue, ~~of~~ viscose and elastane covered with a self-adhesive emulsion of the active <sup>ingredients</sup> ~~elements~~ containing latex, <sup>or b)</sup> a gel of lattice-work polyurethane on a foam base wrapped in a member selected from the group consisting of a stocking-stitch casing of anallergic polyurethane permeable to the air, ~~or a film of polyurethane, an adhesive expanse with an acrylic polymer base and a veil of polypropylene.~~

23. A cosmetic composition of claim 20, wherein the plant extract is an extract of red clover (*Trifolium pratense*).

24. A cosmetic composition of claim 20 further containing an extra<sup>x</sup> of Soya (*Glycine max*) rich in isoflavones.

25. A composition of claim 20 wherein the *Kigelia* extract is



dissolved in a water-butylene glycol mixture.

26. A cosmetic composition of claim 20 wherein the adhesive agent is <sup>fabric</sup> ~~selected~~ <sup>made of a member</sup> from the group consisting of acrylic copolymer and a copolymer <sup>of polyethylene glycol and polypropylene glycols</sup> ~~PEG/PPG~~.

27. A cosmetic composition of claim 20, further containing a thickening agent.

28. A cosmetic composition of claim 27, wherein the thickening agent is chitin.

29. A cosmetic composition of claim 20 further containing a binding agent.

30. A cosmetic composition of claim 29, wherein the binding agent is hydrolyzed wheat gluten.

31. A cosmetic composition of claim 20 further containing at least one member of the group consisting of perfumes, antiseptics, preserving agent, antioxidizing agents and stabilizing agents.

32. A cosmetic composition of claim 20 wherein the content of plant extracts is from 3 to 85% by weight.

33. A cosmetic composition of claim 20 wherein the content of

Kigelia extracts is from 5 to 25% by weight.

34. A cosmetic composition of claim 20 wherein the amount of thickening agent is 0.75 to 40% by weight.

35. A cosmetic composition of claim 34 wherein the amount of thickening agent is from 10 to 40% by weight.

36. A cosmetic composition of claim <sup>24</sup>~~20~~ wherein the amount of isoflavones in the extract of Soya (Glycine max) is from 0.5 to 15% by weight.

#### REMARKS

Reconsideration of this application is requested in view of the amendments to the specification and claims and the remarks presented herein.

The claims in the application are claims 20 to 36, all other claims having been cancelled.

The title has been amended and if the Examiner is not satisfied with the present title, he is requested to suggest a title which will be immediately adopted. The Abstract has been rewritten as required by the Examiner and deletes the expression "new". The disclosure has been amended to change the commas to